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Intellectual Property Law Department
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To:	ATTN: Mail Stop RCE Commissioner for Patents	From:	Brant T. Maurer, Esq.
Co:	United States Patent and Trademark Office	Date:	November 29, 2004
Fax #:	703-872-9306	#Pages:	18 (including cover page)
Re:	U.S. Patent Application No. 10/041,139	Atty. Docket No.	12609

☒ **Urgent** ☐ **For Review** ☐ **Please Comment** ☐ **Please Reply** ☐ **Please Recycle**

The return receipt automatically sent via facsimile will acknowledge the following attachments to this cover page:

- ☐ Transmittal Form
- ☐ Fee Transmittal
- ☐ Request for Continued Examination Transmittal (2 copies)
- ☐ Copy of October 26, 2004 "Submission" under 37 CFR 1.114 (13 pages)

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PTO/SB/21 (09-04)

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TRANSMITTAL FORM	Application Number	10041,139
	Filing Date	January 7, 2002
	First Named Inventor	Robert Malousek
	Art Unit	3671
	Examiner Name	Arpad F. Kovacs
Total Number of Pages in This Submission		Attorney Docket Number 12609

(to be used for all correspondence after initial filing)

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD <div style="border: 1px solid black; padding: 2px;"> Remarks Request for Continued Examination Transmittal </div>	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	CNH America LLC	
Signature	<i>Brant T. Maurer</i>	
Printed name	Brant T. Maurer	
Date	November 29, 2004	Reg. No. 53,285

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Signature	<i>Brant T. Maurer</i>
Typed or printed name	Brant T. Maurer
Date	November 29, 2004

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FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) \$900.00

Complete if Known

Application Number 10/041,139
 Filing Date January 7, 2002
 First Named Inventor Robert Matousek
 Examiner Name Arpad F. Kovacs
 Art Unit 3671
 Attorney Docket No. 12609

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 03-1025
 Deposit Account Name CNH America LLC

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☐ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 790	2001 395	Utility filing fee	
1002 350	2002 175	Design filing fee	
1003 550	2003 275	Plant filing fee	
1004 790	2004 395	Reissue filing	
1005 160	2005 60	Provisional filing fee	
SUBTOTAL (1) (\$)			

2. EXTRA CLAIM FEES FOR UTILITY AND

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent	-20** =	n X	= 0.00
Multiple Dependent	-3** =	n X	= 0.00

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 88	2201 44	Independent claims in excess of 3	
1203 300	2203 150	Multiple dependent claim, if not paid	
1204 88	2204 44	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$) \$0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non - English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	110.00
1252 430	2252 215	Extension for reply within second month	
1253 900	2253 490	Extension for reply within third month	
1254 1,530	2254 785	Extension for reply within fourth month	
1256 2,080	2255 1,040	Extension for reply within fifth month	
1401 340	2401 170	Notice of Appeal	
1402 340	2402 170	Filing a brief in support of an appeal	
1403 300	2403 150	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,370	2453 685	Petition to revive - unintentional	
1501 1,370	2501 685	Utility issue fee (or reissue)	
1502 490	2502 245	Design issue fee	
1503 660	2503 330	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR § 1.17(a)	
1808 180	1808 180	Submission of Information Disclosure Statement	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 790	2809 395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810 790	2810 395	For each additional invention to be examined (37 CFR § 1.129(b))	
1801 790	2801 395	Request for Continued Examination (RCE)	790.00
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) \$900.00

SUBMITTED BY

Name Brent T. Maurer

Signature *Brent T. Maurer*

Registration No. (Attorney/Agent) 53,285

Complete if applicable

Telephone 262-636-5368

Date November 29, 2004

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PTO/SB/35 (08-04)

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Request
for
Continued Examination (RCE)
TransmittalAddress to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/041,139
Filing Date	January 7, 2002
First Named Inventor	Robert Matousek
Art Unit	3671
Examiner Name	Arpad F. Kovacs
Attorney Docket Number	12609

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☒ Other Copy of October 28, 2004 Amendment/Reply "Submission" under 37 CFR 1.114
- b. ☐ Enclosed
- i. ☐ Amendment/Reply
- iii. ☐ Information Disclosure Statement (IDS)
- ii. ☐ Affidavit(s)/Declaration(s)
- iv. ☐ Other _____

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(j) required)
- b. ☐ Other _____

3. **Fees**

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 03-1025. I have enclosed a duplicate copy of this sheet.
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	<i>Brant T. Maurer</i>	Date	November 29, 2004
Name (Print/Type)	Brant T. Maurer	Registration No.	53,285

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Signature	<i>Brant T. Maurer</i>	Date	November 29, 2004
Name (Print/Type)	Brant T. Maurer		

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PTO/SB/30 (09-04)

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Request
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TransmittalAddress to:
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/041,139
Filing Date	January 7, 2002
First Named Inventor	Robert Matousek
Art Unit	3671
Examiner Name	Arpad F. Kovacs
Attorney Docket Number	12609

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i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

ii. ☒ Other Copy of October 26, 2004 Amendment/Reply "Submission" under 37 CFR 1.114

- b. ☐ Enclosed

i. ☐ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s) Declaration(s)

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Name (Print/Type)	Brant T. Maurer	Registration No.	53,285

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